

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA                    )  
  )  
          v.                                    ) CR. NO. 2:06cr200-WHA  
  )  
HECTOR R. SILVA and                        )  
ROSA E. RINCON                            )

MOTION TO STRIKE FORFEITURE ALLEGATION

Comes now the United States of America, by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and John T. Harmon, Assistant United States Attorney, and hereby moves the Court to strike the forfeiture allegation from the indictment returned August 15, 2006.

The 1999 Ford F150 Pickup Truck, VIN: 1FTRX18L5XKA74813 seized on July 13, 2006, from defendants was disposed of through administrative forfeiture proceedings on November 3, 2006.

A proposed Order is filed herewith.

Respectfully submitted this 27<sup>th</sup> day of December, 2006.

FOR THE UNITED STATES ATTORNEY  
LEURA G. CANARY

/s/John T. Harmon

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CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2006, I electronically filed the foregoing Motion to Strike Forfeiture Allegation with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Christopher A. Snyder, Terry F. Moorner, Jay Lewis and Matthew P. Teague.**

/s/John T. Harmon

John T. Harmon

Assistant United States Attorney

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O R D E R

Upon consideration of the Motion to Strike heretofore filed in the above-styled cause, and for good cause shown, the Court is of the opinion that the Motion should be and the same is hereby GRANTED. It is, therefore, **ORDERED, ADJUDGED and DECREED** by the Court that the Forfeiture Allegation is hereby stricken.

DONE this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

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UNITED STATES DISTRICT JUDGE